

ORIGINAL

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9 Attorneys for Plaintiff and
10 Counterdefendant MATTEL, INC.

ENTERED
CLERK, U.S. DISTRICT COURT
JUL 20 1999
CENTRAL DISTRICT OF CALIFORNIA
BY elp DEPUTY

11 CHARLES A. LAFF
12 JUDITH L. GRUBNER
13 KEVIN C. TROCK
14 LAFF, WHITESEL, CONTE & SARET
15 401 North Michigan Avenue, Suite 1700
Chicago, Illinois 60611
(312) 661-2100; Fax (312) 661-0029

FILED
CLERK, U.S. DISTRICT COURT
JUL 19 1999
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

16 BRADLEY H. ELLIS (SBN 110467)
17 CATHERINE VALERIO BARRAD (SBN 168897)
18 SIDLEY & AUSTIN
19 555 West Fifth Street, Suite 4000
Los Angeles, California 90013
20 (213) 896-6000; Fax (213) 896-6600

LODGED
CLERK, U.S. DISTRICT COURT
JUL 16 1999
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

21 Attorneys for Defendants and
22 Counterclaimants THOMAS LOWE
23 VENTURES, INC. and CENTURI CORPORATION

24 UNITED STATES DISTRICT COURT

25 CENTRAL DISTRICT OF CALIFORNIA

26 WESTERN DIVISION

27 MATTEL, INC., a Delaware corporation,

) CASE NO. CV 96-7872 CBM (CWx)

28 Plaintiff,

) STIPULATION RE DISMISSAL OF
) (1) SECOND AMENDED COMPLAINT
) AS TO DEFENDANTS THOMAS
) LOWE VENTURES, INC. AND
) CENTURI CORPORATION ONLY;
) AND (2) AMENDED
) COUNTERCLAIM; [Proposed] ORDER
) THEREON

vs.

) Action Filed: 11/08/96
29 Trial Date: 06/29/99

30 THOMAS LOWE VENTURES, INC. dba
JOHNNY LIGHTNING and dba PLAYING
31 MANTIS, a Michigan corporation; MIKE
GROVE, an individual; CENTURI
32 CORPORATION dba ESTES INDUSTRIES, a
Delaware corporation; and DOES 1-50,

33 Defendants.

34 AND RELATED CROSS-ACTION.

35 DOCKE

36 MLD COPY PTYS

37 MLD NOTICE PTYS

38 C JS-6

1 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff and
2 counterdefendant Mattel, Inc. ("Mattel"), by and through its counsel of record, Riordan &
3 McKinzie, and defendants and counterclaimants Thomas Lowe Ventures, Inc. ("TLV") and
4 Centuri Corporation ("Centuri"), by and through their counsel of record, Laff, Whitesel, Conte
5 & Saret, Ltd. and Sidley & Austin, as follows:

6

7 (1) Mattel hereby dismisses its Second Amended Complaint dated November 26,
8 1997, with prejudice, against defendants Thomas Lowe Ventures, Inc. and Centuri
9 Corporation; and

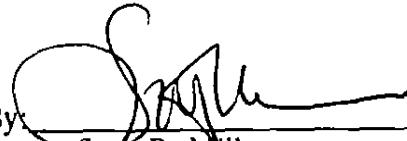
10

11 (2) Thomas Lowe Ventures, Inc. and Centuri Corporation hereby dismiss its Joint
12 Counterclaim dated July 29, 1997, with prejudice, in its entirety.

13

14 Dated: July 15, 1999

15 RIORDAN & MCKINZIE
16 A Professional Law Corporation
17 SCOTT R. MILLER
DIANE M. LAMBILOTTE
AMY J. FRANKEL

18 
19 By _____
20 Scott R. Miller
21 Attorneys for Plaintiff and
22 Counterdefendant MATTEL, INC.

23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

1 Dated: June 13, 1999

LAFF, WHITESEL, CONTE & SARET
CHARLES A. LAFF
JUDITH L. GRUBNER
KEVIN C. TROCK

SIDLEY & AUSTIN
BRADLEY H. ELLIS
CATHERINE VALERIO BARRAD

6 By: Judith L. Grubner

7 Judith L. Grubner
8 Attorneys for Defendants and Counter Claimants
9 THOMAS LOWE VENTURES, INC. and
10 CENTURI CORPORATION

11 ORDER

12 Good cause appearing therefore,

13 IT IS HEREBY ORDERED that this Stipulation is made and entered as an order of this
14 Court.

15 Dated: 7/16/99

16 ce bueee
17 UNITED STATES DISTRICT COURT JUDGE

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1 **PROOF OF SERVICE BY MAIL**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the county aforesaid; I am over the age of 18 years and not a party to
4 the within action; my business address is 300 South Grand Avenue, 29th Floor, Los Angeles,
California 90071-3155.

5 On July 16, 1999, I served the foregoing document(s) described as:

6 **STIPULATION RE DISMISSAL OF (1) SECOND AMENDED
7 COMPLAINT AS TO DEFENDANTS THOMAS LOWE VENTURES,
8 INC. AND CENTURI CORPORATION ONLY; AND (2) AMENDED
COUNTERCLAIM; [Proposed] ORDER THEREON**

9 on interested parties in this action by placing a true copy thereof in a mail box maintained by
10 the U.S. Postal Service, enclosed in a sealed envelope with postage thereon fully prepaid at
Los Angeles, California, addressed as follows:

11 Charles A. Laff, Esq.
12 Judith L. Grubner, Esq.
13 Kevin Trock, Esq.
14 Laff, Whitesel, Conte
& Saret
401 N. Michigan Avenue
Suite 1700
15 Chicago, Illinois 60611

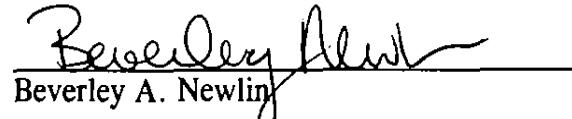
Bradley H. Ellis, Esq.
Catherine Valerio Barrad, Esq.
Sidley & Austin
555 West Fifth Street
Suite 4000
Los Angeles, CA 90013

16 Mr. Mike Grove
1047 East Fifth Street
17 Fremont, Nebraska 68025

18 I am aware that on motion of party served, service is presumed invalid if postal
cancellation date or postage meter date is more than 1 day after date of deposit for mailing in
19 affidavit.

20 Executed on July 16, 1999, at Los Angeles, California.

21 I declare that I am employed in the office of a member of the bar of this court at whose
direction the service was made.

22
23
24 
25 Beverley A. Newlin
26
27
28